IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL WRIT PETITION NO. 116 OF 2006

Mohd. Zuber Mohd. Yusuf .. Petitioner

Vs.

1. Regional Passport Office
(Mumbai) and ors. .. Respondents

Mr. Mirza Yadullah & Mr. Sharif Shaikh for Petitioner.
Mr. J.R. Solanki for Union of India.
Mr. D.S. Mhaispurkar, APP for State.

**CORAM : B. H. MARLAPALLE &**
**SMT. R.S. DALVI,JJ.**

**Date : February 13, 2006.**

**P.C.:**

1. Heard the learned counsel for the petitioner as well as the learned counsel for the respondent no.1. We have perused the affidavit in reply filed by the Public Relations Officer, attached to the Regional Passport Office, Mumbai.

2. Our attention also has been invited to the Circular dated 26/7/2005 issued by the Ministry of External Affairs, Government of India. The petitioner’s application pending with the respondent no.1 is for issuance of fresh booklet on account of the pages of the existing passport are exhausted and

the passport period of ten years has not yet expired. As per the Circular dated 26/7/2005 the petitioner is required to apply for a new passport and on receiving such application, all the other conditions will have to be satisfied, namely, the clearance by police authorities etc. The request made by the petitioner for issuance of a new booklet has not yet been refused and all that the respondent no.1 states before us is that the petitioner has to apply for a fresh passport. Such an application will be considered as per the rules.

3. The petition is, therefore, disposed off with liberty to the petitioner to apply for a fresh passport consequent to the Circular dated 26/7/2005 and if such an application is submitted within a period of two weeks from today, we direct the respondent no.1 to process the same expeditiously.

**(Smt.R.S. Dalvi,J.)** **(B.H. Marlapalle, J.)**